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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,296	10/28/2000	Herbert James Sinnock	Sinnock -1	6195

7590

03/30/2004

Mark Kurisko
1211 Highland Dr.
Orefield, PA 18069

EXAMINER

VON BUHR, MARIA N

ART UNIT	PAPER NUMBER
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2125

4

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,296

Applicant(s)

SINNOCK, HERBERT JAMES

Examiner

Maria N. Von Buhr

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-44 are pending in this application.
2. Applicant's claim for domestic priority under 35 U.S.C. §119(e) is acknowledged.
3. Claim 6 is objected to because "at least one distributed power generators is" is grammatically awkward. Claims 23 and 31 are objected to because they are missing their terminating punctuation.
4. Claims 5, 20, 22, 23, 38, 39 and 43 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In claim 5, the phrase "can be" is vague and indefinite, because it does not provide for a positive recitation of function, which presents ambiguity with regard to the metes and bounds of the claim (this similarly applies to claim 22). Also, the phrase "large enough" is one of degree, which is vague and indefinite, since a definition has not been provided for, and one of ordinary skill in the art would not be able to determine the metes and bounds of such.

In claims 20 and 30, the phrase "maximize the profit" is one of degree, which is vague and indefinite, since a definition has not been provided for, and one of ordinary skill in the art would not be able to determine the metes and bounds of such. Also, there is no clear an proper antecedent basis for "the profit," while there is no functional antecedence for any "selling of energy to the power grid" no for such selling "obtaining" a profit. Further in claim 30, there is no antecedent basis for "the neural network."

In claim 38, there is no functional antecedence for a "selected profile."

In claim 43, there is no antecedent basis for "the neighborhood controller."

The remainder of the listed claims stand rejected as necessarily incorporating the above-noted ambiguities of their parent claims.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-14, 21-24 and 31-44 are rejected under 35 U.S.C. §102(e) as being clearly anticipated by Woodall et al. (U.S. Patent No. 6,329,725), which disclose “systems and methods for delivering excess electric power to an electric power grid from a marine transportation vessel while said marine transportation vessel is at port” (the abstract), including “(i) at least one generator 11 connected to electrical distribution switchgear 14 via standard connection equipment 15, (ii) at least one ship-side power cable 12 connected to electrical distribution switchgear 14 and to at least one ship-side connection 16, such as a quick connect/disconnect connection, and (iii) onshore equipment 22 for delivering power into at least one onshore electric power grid 26 via standard connection equipment 25, said onshore equipment 22 including at least one shore-side power cable 24 connected to said at least one ship-side connection 16 thus completing a circuit from the at least one generator 11 to the at least one electric power grid 26, and also including other equipment (not illustrated on FIG. 1A), for example without thereby limiting this invention, metering equipment, switchgear equipment, and transformer equipment. In one embodiment, onshore equipment 22 is permanently installed. In one embodiment, onshore equipment 22 comprises electrical controls (not illustrated on FIG. 1A) to manage load during unloading of natural gas and distribution of surplus electric power from transportation vessel 10 into at least one onshore electric power grid 26. An alternative embodiment comprises additional generators 11 on transportation vessel 10, beyond those that are needed to power transportation vessel 10 while in transit, in order to deliver a greater amount of energy in the form of electric power to market, e.g. to at least one onshore electric power grid 26” (col. 4), wherein “electrical controls (not illustrated on FIG. 1B) to manage load sharing between transportation vessel 10 loads and distribution into the onshore electric power grid 26 are included in onshore equipment 22. The load management controls have the ability to direct delivery of power to any appropriate market or

customer within the scope of onshore electric power grid 26. Locations of specific pieces of equipment in FIG. 1B are for purposes of illustration, and are not intended to limit this invention" (col. 6).

7. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 15-20 and 25-30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Woodall et al. (U.S. Patent No. 6,329,725) as applied to claims 1-14, 21-24 and 31-44 above, and further in view of Le Cun et al. U.S. Patent No. 5,412,754).

Although Woodall et al. clearly provide for controlling delivery of distributed power generation to a power grid, no specifics are provided for how the control is achieved. In this regard, Le Cun et al. teach the well-known use of neural networks in decision making for control of a power grid (see, at least, the abstract; col. 10). It would have been obvious, to one having ordinary skill in the art, at the time the instant invention was made, to utilize such neural network programming in the system of Woodall et al., because Le Cun et al. teach a resultant increased efficiency in real-time prediction.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised to carefully review the cited documents, as evidence of the state of the art, in preparation for responding to this Office action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria N. Von Buhr whose telephone number is 703-305-3837. The examiner can normally be reached on M-F (9am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 703-308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Maria N. Von Buhr
Primary Patent Examiner
Art Unit 2125